



February 2, 2021

House Civil Justice and Property Rights Subcommittee
417 House Office Building
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: HB 35 Legal Notices

The First Amendment Foundation writes in opposition to House Bill 35, which will reduce the number of Floridians who see legal notices by removing notifications from newspapers to websites created by government entities.

Moving notices exclusively to the internet will particularly affect Floridians with limited broadband access, many living in rural communities. In some rural counties, more than 50 percent of residents [lack adequate access](#) to the internet. Due to income inequalities, many people living in urban areas lack reliable internet access and smartphones. This bill will leave poor and rural Floridians without adequate access to legal notifications. In addition, many elderly citizens are not comfortable with the technologies and equipment required to search for legal notices online. Members of the public who depend on print media for legal notices will be unaware of decisions with profound effects, including open government meetings, tax increases, the sale of property, and school district zoning changes.

Newspapers, through print and the web, reach a greater audience than government websites. In fact, the newspaper audience in Florida is many times larger than most city or county websites. Currently, readers see notices while looking for other information in the paper or online. Under House Bill 35, only those who seek out a government website will be aware of legal notices.

Moreover, publication of notices in newspapers ensures that the government entities expected to provide notice are not in control of dissemination. A government entity required to provide notice may not consider openness in its self-interest; the current method of providing notice removes control from a government entity to a third party.

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This bill limits who sees legal notices – adversely affecting poor, elderly and rural Floridians – and restricts public participation and government oversight. Accordingly, FAF opposes House Bill 35.

If you have any questions, please do not hesitate to contact us.

Best regards,



Pamela C. Marsh, President

Cc: The Honorable Chris Sprows, Speaker, Florida House
The Honorable Randy Fine, Florida House
Mr. Jim Baltzelle, Associated Press, Chair, First Amendment Foundation
Mr. Samuel Morley, General Counsel, Florida Press Association
Ms. Lisa Nellessen Savage, Chair, Florida Society of News Editors

